

1 MARSHALL C. WALLACE (BAR NO. 127103)  
KEITH D. YANDELL (BAR NO. 233146)  
2 ALLEN MATKINS LECK GAMBLE  
MALLORY & NATSIS LLP  
3 Three Embarcadero Center, 12th Floor  
San Francisco, CA 94111-4074  
4 Phone: (415) 837-1515  
Fax: (415) 837-1516  
5 E-Mail: mwallace@allenmatkins.com  
kyandell@allenmatkins.com

6 KIM A. BUI (BAR NO. 274113)  
7 ALLEN MATKINS LECK GAMBLE  
MALLORY & NATSIS LLP  
8 515 South Figueroa Street, Ninth Floor  
Los Angeles, California 90071-3309  
9 Phone: (213) 622-5555  
Fax: (213) 620-8816  
10 E-Mail: kbui@allenmatkins.com

11 Attorneys for Defendant  
Wells Fargo Bank, N.A., successor by merger with Wells  
12 Fargo Bank Southwest, N.A., f/k/a Wachovia Mortgage,  
FSB, f/k/a World Savings Bank, FSB (erroneously sued as  
13 "Wells Fargo Home Mortgage" and "Wachovia Mortgage")

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

16 GREGORY W. SCHWARTZ,

17 Plaintiff,

18 vs.

19 WELLS FARGO HOME MORTGAGE;  
20 WACHOVIA MORTGAGE, FSB; WORLD  
SAVINGS; PETER KERSTON dba THE  
21 MORTGAGE NETWORK WHOLESALE  
LENDER; and DOES 1 through 20, inclusive,

22 Defendants.  
23

Case No. 3:12-cv-06187-MEJ

ASSIGNED FOR ALL PURPOSES TO  
Magistrate Judge Maria-Elena James


JOINT STIPULATION FOR DISMISSAL OF  
CASE WITH PREJUDICE; ~~PROPOSED~~  
ORDER

**STIPULATION**

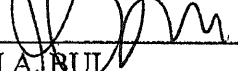
PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff Gregory W. Schwartz and Defendant Wells Fargo Bank, N.A., successor by merger with Wells Fargo Bank Southwest, N.A., f/k/a Wachovia Mortgage, FSB, f/k/a World Savings Bank, FSB, through their undersigned counsel of record, hereby stipulate that the Court shall dismiss this action with prejudice. Each party shall bear its own attorneys' fees and costs incurred in connection with this action.

**STIPULATED AND AGREED:**Dated: April 18, 2013

LAW OFFICES OF RICHARD SAX

By:   
 RICHARD SAX  
 Attorneys for Plaintiff  
 Gregory W. Schwartz

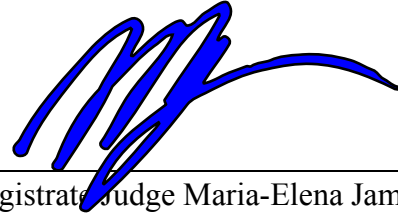
Dated: April 15, 2013ALLEN MATKINS LECK GAMBLE  
MALLORY & NATSIS LLP

By:   
 KIM A. BUI  
 Attorneys for Defendant  
 Wells Fargo Bank, N.A., successor by  
 merger with Wells Fargo Bank Southwest,  
 N.A., f/k/a Wachovia Mortgage, FSB, f/k/a  
 World Savings Bank, FSB (erroneously sued  
 as "Wells Fargo Home Mortgage" and  
 "Wachovia Mortgage")

**ORDER ON STIPULATION**

Pursuant to the stipulation of the parties and good cause appearing, the Court dismisses this action **with prejudice**. Each party shall bear its own costs and fees incurred in connection with this action.

Dated: April 19, 2013



Magistrate Judge Maria-Elena James

**CERTIFICATE OF SERVICE**

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) and am not a party to this action. My business address is 515 South Figueroa Street, Ninth Floor, Los Angeles, California 90071-3309.

On **April 18, 2013**, I served the within document(s) described as:

JOINT STIPULATION FOR DISMISSAL OF CASE WITH PREJUDICE; [PROPOSED] ORDER

on the interested parties in this action as stated below:

Richard Sax, Esq.  
Law Offices of Richard Sax  
448 Sebastopol Avenue  
Santa Rosa, CA 95401

Attorneys for Plaintiff

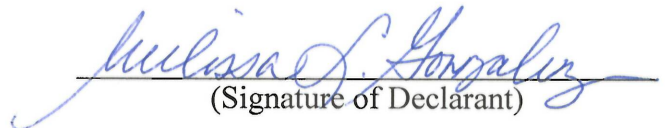
☒ **BY MAIL:** I placed a true copy of the document in a sealed envelope or package addressed as indicated above on the above-mentioned date in Los Angeles, California for collection and mailing pursuant to the firm's ordinary business practice. I am familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY OVERNIGHT DELIVERY:** I deposited in a box or other facility regularly maintained by FedEx, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document(s) in sealed envelopes or packages designated by the express service carrier, addressed as indicated above on the above-mentioned date, with fees for overnight delivery paid or provided for.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **April 18, 2013**, at Los Angeles, California.

Melissa L. Gonzalez  
(Type or print name)

  
(Signature of Declarant)